

Docket No. G0551

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

- In re patent application of:

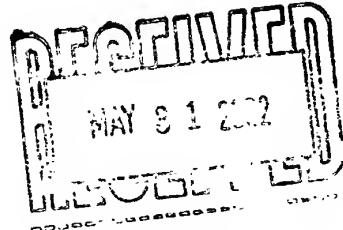
Applicant: William George En et al.  
 Serial No: 10/085,278  
 Filed: February 27, 2002  
 For: **SPACERS WITH A GRADED DIELECTRIC CONSTANT FOR SEMICONDUCTOR DEVICES HAVING A HIGH-K DIELECTRIC**  
 Art Unit: 2811  
 Examiner: Not Yet Assigned



## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 U.S. Patent and Trademark Office  
 Washington, D.C. 20231

Sir:



1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: \_\_\_\_\_  
 Filing Date: \_\_\_\_\_

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a)  Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b)  Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a)  Within 3 months of the filing date or date of entry into the National Stage.
- (b)  Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.
- (c)  Before the mailing date of a first Office Action on the merits after a first or second submission under 37 C.F.R. 1.129(a).
- (d)  After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

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(1)  The required certification is given below, or

(2)  Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3)  Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

(e)  After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1)  Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p), or

(2)  Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

4. Certification (if applicable)

(a)  The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b)  The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

Date May 6, 2002

1621 Euclid Avenue, 19th Floor  
Cleveland, Ohio 44115  
(216) 621-1113

By Andrew Romero  
Andrew Romero, Reg. No. 43,890

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper and the documents enclosed herewith are being deposited on the date indicated below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Date: May 6, 2002

Andrew Romero

